

Message

From: Braley, Susan (ECY) [SUBR461@ECY.WA.GOV]
Sent: 5/19/2014 11:13:38 PM
To: Szelag, Matthew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f1e48230d96943f8acb72810e32ce8d6-Szelag, Matthew]; Chung, Angela [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b3e49fcb1ad46f1bdbe92ebb4936350-Chung, Angela]
Subject: RE: Compliance Schedule Rule-DRAFT 5-14-14.docx

Thank you! I am also going to send the intake credits draft language to Matt as well, so that he can share it with the EPA permits group who may have some thoughts about the language.

Now, onto Variances....saving the best for last!

Susan

From: Szelag, Matthew [mailto:Szelag.Matthew@epa.gov]
Sent: Monday, May 19, 2014 3:56 PM
To: Braley, Susan (ECY); Chung, Angela
Subject: RE: Compliance Schedule Rule-DRAFT 5-14-14.docx

Hi Susan,

Thanks for sharing the draft rule language. I'm going to do some thinking on this and talk to a few people, but I'll get back to you as soon as I can.

Thanks,

Matthew Szelag | Water Quality Standards Coordinator
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From: Braley, Susan (ECY) [mailto:SUBR461@ECY.WA.GOV]
Sent: Monday, May 19, 2014 10:23 AM
To: Chung, Angela; Szelag, Matthew
Subject: Compliance Schedule Rule-DRAFT 5-14-14.docx

Matt & Angela—We have been working on draft rule language for “compliance schedules”. I have attached the latest. You'll see that it is in green underline and ~~red-strikeout~~ for proposed new language and revisions. In essence, it removes the time limit of 10 years and then includes a new section where we have a TMDL to match the legislation that passed a few years ago. We are choosing not to have a lot of new detail in the standards, but are referencing WAC 173-220-140 which has specific requirements for schedules of compliance for NPDES permits.

We have not yet tried to add language to split out compliance schedules for aquatic life criteria. I'm not quite sure what it would have to apply to – just the new section on TMDLs? I thought I would ask you to look at the revisions and determine if it truly would be a standards change that would require ESA consultation, as opposed to language for state implementation of the standards (that seems to be the delineation that EPA uses for determining if it is a standard that needs EPA approval). If you think it is a “standards” change, then can you clarify where we would need to split out aquatic life in order to allow the human health criteria revisions to be able to move forward without having to go through ESA consultation?

Thanks—Call if questions or you want to discuss—

Susan